

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**No. 14-cv-304 RB/SMV
09-cr-760 RB**

FRANK L. GUTIERREZ,

Defendant.

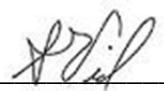
ORDER

THIS MATTER is before the Court, *sua sponte* under Rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant's Motion to Vacate, Set Aside, or Correct Sentence [CV Doc. 1; CR Doc. 138] ("Motion"). The Court will direct the United States to answer Defendant's Motion.

IT IS THEREFORE ORDERED that the Clerk is directed to forward to the United States of America a copy of Defendant's Motion to Vacate, Set Aside, or Correct Sentence and supporting papers and exhibits, if any, together with a copy of this Order;

IT IS FURTHER ORDERED that, **within twenty-three days** of entry of this Order, the United States shall answer Defendant's Motion to Vacate, Set Aside, or Correct Sentence.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge